

REMARKS

In light of the following remarks and above amendments, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 2-38 and amended claims 1, 39 and 40 are in this application.

At paragraph 1 of the outstanding Office Action of January 21, 2004, the Examiner objected to the specification. Specifically, the Examiner stated that the disclosure is objected to because of several informalities. All of the informalities pointed out by the Examiner have been corrected herein. Applicants therefore respectfully request that the objection to the specification be withdrawn.

At paragraph 3 of the outstanding Office Action of January 21, 2004, the Examiner rejected claims 1-3, 26, 31, 33 and presumably claims 39 and 40 under 35 U.S.C. § 102(e) as being anticipated by Miyao et al. (U.S. Patent No. 6,466,237). Applicants respectfully traverse the rejection.

Amended independent claim 1, recites in part, "A device for managing data objects, comprising...enable/disable means...**wherein a shape of the predetermined path is modified based upon a speed with which the thumbnails move through the focus region.**" (Underlining and Bold added for emphasis.)

It is respectfully submitted that Miyao does not teach the above-recited feature of amended independent claim 1.

Miyao teaches an information managing device that includes a thumbnail display means (Abstract), a defining means for defining a focus region (column 2, lines 47-52), a moving means for moving the thumbnails (column 13, lines 43-45) and an enable/disable means (column 15, lines 20-38). However, Miyao does not teach or suggest that a shape of a predetermined path (i.e., a helix) is modified based upon a speed with which the thumbnails move through a focus region, as does amended independent claim 1. Support for this feature can be found at page 21, lines 1-15 of the present specification. The path upon which the thumbnails travel is adjusted (contracted or expanded) in accordance with the browsing speed of the user. This feature greatly facilitates the users viewing, managing and selecting abilities when a large number of data objects are presented. Therefore amended independent claim 1 is believed to be distinguishable from Miyao.

For reasons similar to those described above with regard to amended independent claim 1, amended independent claims 39 and 40 are also believed to be distinguishable from Miyao for at least the reasons previously described.

Further, claims 2, 3, 26, 31 and 33 depend from amended independent claim 1 and, due to such dependency, are also believed to be distinguishable from Miyao for at least the reasons previously described. Therefore, claims 2, 3, 26, 31 and 33 are believed to be distinguishable from Miyao.

Applicants therefore respectfully request the rejection of claims 1-3, 26, 31 and 33 under 35 U.S.C. §102(e) be withdrawn.

At paragraph 5 of the outstanding Office Action of January 21, 2004, the Examiner rejected claims 4, 5, 7-10, 12, 15, 17-19, 25, 27 and 35-38 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Microsoft PowerPoint. Applicants respectfully traverse the rejection.

Claims 4, 5, 7-10, 12, 15, 17-19, 25, 27 and 35-38 depend from amended independent claim 1 and, due to such dependency, are also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Microsoft PowerPoint to overcome the above-identified deficiencies of Miyao. Therefore, claims 4, 5, 7-10, 12, 15, 17-19, 25, 27 and 35-38 are believed to be distinguishable from the applied combination of Miyao and Microsoft PowerPoint as applied by the Examiner.

Applicants therefore respectfully request the rejection of claims 4, 5, 7-10, 12, 15, 17-19, 25, 27 and 35-38 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 6 of the outstanding Office Action of January 21, 2004, the Examiner rejected claim 28 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Schuetze et al. (U.S. Patent No. 6,598,054). Applicants respectfully traverse the rejection.

Claim 28 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Schuetze to overcome the above-identified deficiencies of Miyao. Therefore, claim 28 is believed to be distinguishable from the applied combination of Miyao and Schuetze as applied by the Examiner.

Applicants therefore respectfully request the rejection of claim 28 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 7 of the outstanding Office Action of January 21, 2004, the Examiner rejected claims 29 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Schuetze et al. as applied to claim 28 and further in view of Jeong et al. (U.S. Patent No. 6,256,027). Applicants respectfully traverse the rejection.

Claims 29 and 30 depend from amended independent claim 1 and, due to such dependency, are also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Schuetze and Jeong to overcome the above-identified deficiencies of Miyao. Therefore, claim 28 is believed to be distinguishable from the applied combination of Miyao, Schuetze and Jeong as applied by the Examiner.

Applicants therefore respectfully request the rejection of claims 29 and 30 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 8 of the outstanding Office Action of January 21, 2004, the Examiner rejected claim 31 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Mills et al. (U.S. Patent No. 6,599,147). Applicants respectfully traverse the rejection.

Claim 31 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Mills to overcome the above-identified deficiencies of Miyao. Therefore, claim 31 is believed to be distinguishable from the applied combination of Miyao and Mills as applied by the Examiner.

Applicants therefore respectfully request the rejection of claim 31 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 9 of the outstanding Office Action of January 21, 2004, the Examiner rejected claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Mills et al. as applied to claim 31 and further in view of Fujisawa et al. (U.S. Patent No. 5,021,989). Applicants respectfully traverse the rejection.

Claim 32 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Mills and Fujisawa to overcome the above-identified deficiencies of Miyao. Therefore, claim 32 is believed to be distinguishable from the applied combination of Miyao, Mills and Fujisawa as applied by the Examiner.

Applicants therefore respectfully request the rejection of claim 32 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 10 of the outstanding Office Action of January 21, 2004, the Examiner rejected claim 34 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Leah et al. (U.S. Patent No. 5,808,601). Applicants respectfully traverse the rejection.

Claim 34 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Leah to overcome the above-identified deficiencies of Miyao. Therefore, claim 34 is believed to be distinguishable from the applied combination of Miyao and Leah as applied by the Examiner.

Applicants therefore respectfully request the rejection of claim 34 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 11 of the outstanding Office Action of January 21, 2004, the Examiner rejected claims 20, 22 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Microsoft PowerPoint as applied to claim 4 and further in view of Microsoft Windows Explorer. Applicants respectfully traverse the rejection.

Claims 20, 22 and 23 depend from amended independent claim 1 and, due to such dependency, are also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Microsoft PowerPoint and Microsoft Windows Explorer to overcome the above-identified deficiencies of Miyao. Therefore, claims 20, 22 and 23 are believed to be distinguishable from the applied combination of Miyao, Microsoft PowerPoint and Microsoft Windows Explorer as applied by the Examiner.

Applicants therefore respectfully request the rejection of claims 20, 22 and 23 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 12 of the outstanding Office Action of January 21, 2004, the Examiner rejected claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Microsoft PowerPoint as applied to claim 4 and further in view of Microsoft Windows Explorer as applied to claim 20 and further in view of Microsoft Excel. Applicants respectfully traverse the rejection.

Claim 21 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Microsoft PowerPoint, Microsoft Windows Explorer and Microsoft Excel to overcome the above-identified deficiencies of Miyao. Therefore, claim 21 is believed to be distinguishable from the applied combination of Miyao, Microsoft PowerPoint, Microsoft Windows Explorer and Microsoft Excel as applied by the Examiner.

Applicants therefore respectfully request the rejection of claim 21 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 13 of the outstanding Office Action of January 21, 2004, the Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Microsoft PowerPoint as applied to claim 10 and further in view of Sommers et al. (U.S. Patent No. 5,940,076). Applicants respectfully traverse the rejection.

Claim 11 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Microsoft PowerPoint and Sommers to overcome the above-identified deficiencies of Miyao. Therefore, claim 11 is believed to be distinguishable from the applied combination of Miyao, Microsoft PowerPoint and Sommers as applied by the Examiner.

Applicants therefore respectfully request the rejection of claim 11 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 14 of the outstanding Office Action of January 21, 2004, the Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Microsoft PowerPoint as applied to claim 12 and further in view of Abraham et al. (U.S. Patent No. 5,317,306). Applicants respectfully traverse the rejection.

Claim 13 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Microsoft PowerPoint and Abraham to overcome the above-identified deficiencies of Miyao. Therefore, claim 13 is believed to be distinguishable

from the applied combination of Miyao, Microsoft PowerPoint and Abraham as applied by the Examiner.

Applicants therefore respectfully request the rejection of claim 13 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 15 of the outstanding Office Action of January 21, 2004, the Examiner rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Microsoft PowerPoint as applied to claim 15 and further in view of Gagne et al. (U.S. Patent No. 5,731,819). Applicants respectfully traverse the rejection.

Claim 16 depends from amended independent claim 1 and, due to such dependency, is also believed to be distinguishable from Miyao for at least the reasons previously described. The Examiner did not rely on Microsoft PowerPoint and Gagne to overcome the above-identified deficiencies of Miyao. Therefore, claim 16 is believed to be distinguishable from the applied combination of Miyao, Microsoft PowerPoint and Gagne as applied by the Examiner.

Applicants therefore respectfully request the rejection of claim 16 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 16 of the outstanding Office Action of January 21, 2004, the Examiner objected to claims 6, 14 and 24 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claims and any intervening claims. Applicants submit that these claims now depend, either directly or indirectly from one of the amended independent base claims noted above, and as such are allowable without being rewritten in independent form.

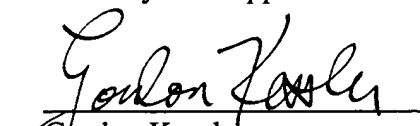
It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

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